

## WARREN COUNTY BOARD OF SUPERVISORS

**COMMITTEE: PUBLIC WORKS (INCLUDING AIRPORT; DPW; PARKS, RECREATION & RAILROAD AND WARREN COUNTY SEWER)**

**DATE: AUGUST 21, 2008**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BELDEN  
BENTLEY  
TESSIER  
STEC  
MERLINO  
HASKELL  
CHAMPAGNE  
TAYLOR

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR GOODSPEED

**OTHERS PRESENT:**

REPRESENTING THE DEPARTMENT OF PUBLIC WORKS:

WILLIAM LAMY, SUPERINTENDENT

JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF ENGINEERING

REPRESENTING BUILDINGS & GROUNDS:

FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS

REPRESENTING PARKS, RECREATION & RAILROAD:

PAUL BUTLER, DIRECTOR

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES

JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES

NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD

SUPERVISORS SIMMES

STRAINER

THOMAS

DONALD HESS, CITY OF GLENS FALLS RESIDENT

TOM RANDALL, *THE ADIRONDACK JOURNAL*

AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Belden called the meeting of the Public Works Committee to order at 9:30 a.m.

Motion was made by Mr. Haskell, seconded by Mr. Taylor and carried unanimously to approve the minutes from the July 29, 2008 Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to William Lamy, DPW Superintendent, who distributed copies of the Public Works to the Committee members. *A copy of the Public Works agenda is on file with the minutes.*

New Business:

Jeffrey Tennyson, Deputy Superintendent of Engineering, began the agenda review, advising that due to a procedural glitch another EDPL (Eminent Domain Proceedings Law) Hearing was necessary with respect to the Corinth Road Reconstruction Project; therefore, he said, a second Determination of Findings was required and had to be approved by resolution. He explained that according to Municipal Law, the Determination of Findings had to be published for two consecutive days, but had only been published once; therefore, he said a second hearing was to be held in order to validate the procedure. Mr. Tennyson stated that the second EDPL Hearing was scheduled for 6:00 p.m. that evening and rather than presenting a post-Committee meeting request for resolution, it was his hope that the Committee would approve the request in advance as the Determination of Findings report would be completed and forwarded to the County Attorney's Office by the end of the week.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to approve the request for a resolution adopting the Determination of Findings relative to the Corinth Road Reconstruction Project which would be prepared subsequent to the August 21<sup>st</sup> EDPL Hearing and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Tennyson directed the Committee members to page three of the agenda which reflected a request for a new contract for professional services relative to architectural, mechanical, HVAC (Heating, Ventilation and Air Conditioning) and electrical engineering projects. He explained that the contract would replace the one previously held with Rist Frost Associates, who were no longer in business, and the contractor would be determined subsequent to bid openings that were scheduled for later that day.

When asked what services the contract would apply to, Mr. Tennyson stated that first and foremost, the contractor would be used to determine a permanent fix for the electrical situation at the Municipal Center Building and would then be used on an as needed basis to review any of the architectural or engineering type services that had previously been handled by Rist Frost.

Mr. Belden asked if any of these services could be provided by County staff on an in-house basis and Mr. Lamy replied in the negative, explaining that he and his engineering staff were involved in many other ongoing projects such as the Glen Lake Road turning lane that would be added to service the Health and Human Services Building (HHSB), requests to become more deeply involved with providing coordination of information on the recycling operation when updating the Solid Waste Management Plan as well as any other projects that would fit into their work schedule. However, he noted, the areas cited by Mr. Tennyson were where additional assistance from an outside source was required and they would minimize these jobs as much as possible. Mr. Lamy stated that by authorizing the new contract they would be allowed the flexibility to immediately solve problems as they occurred through a letter of authorization, rather than taking extra time to develop a separate RFP (Request for Proposal) for each individual project.

Mr. Belden asked how many responses had been received to the RFP and Mr. Tennyson replied that although he did not have an exact number on hand, he said that he had received upwards of 30 responses as Julie Pacyna, Purchasing Agent, had issued the RFP on a State-wide basis. Mr. Tessier noted that when awarding the contract, it was important to keep in mind that hiring a contractor based in the immediate area would be less costly than another further away as mileage costs would be minimal.

Discussion ensued with respect to the matter.

Mr. Belden stated that he felt many of the questions asked by the Committee would be answered through a review of the bid specifications presented by the awarded bidder and he asked that a copy of such be forwarded to each of the Committee members.

Motion was made by Mr. Haskell, seconded by Mr. Champagne and carried unanimously to approve the request for a new contract for professional services as outlined above with the contractor to be named subsequent to the bid opening scheduled for August 21, 2008 and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Continuing to the next agenda item, Mr. Tennyson apprised that page six reflected a request for a new contract for repairs and special maintenance of fuel tanks and associated equipment for an amount not to exceed \$13,000. He added that although a formal RFP process was not required due to the amount of the contract, the receipt and review of no fewer than four written quotes was necessary prior to determining who the contract would be awarded to. Mr. Tennyson noted that although a considerable amount of maintenance and repairs were performed by County staff, there were certain things that they were not capable of doing and in those cases outside forces were needed, as well as for emergency repairs. As an example of where contracted services were required, Mr. Tennyson

cited a recent occurrence at the Lake Luzerne fuel site where County staff had done their best to diagnose an issue and had made corrections to what they had anticipated to be causing the problem, only to find that the repairs had not solved the problem. He said that this contract would ensure that there was a firm available to review such issues as they occurred, rather than having to request emergency assistance.

Motion was made by Mr. Haskell, seconded by Mr. Tessier and carried unanimously to approve the request for a new contract with the lowest responsible bidder for repairs and special maintenance of fuel tanks and associated equipment as outlined above with the contractor to be determined, and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Lamy advised that the next agenda item pertained to an informational update on the Milton Street Bridge; however, he said, as Mr. Geraghty was not currently in attendance, he preferred to delay the review of this item until later in the meeting for his benefit.

Proceeding with the agenda review, Mr. Tennyson noted that beginning on page 10 he had included a copy of the minutes from the public information meeting held on August 6, 2008 regarding the closing of the Middleton Bridge. He apprised that this was a single lane bridge which crossed the Schroon River and serviced residents of the Towns of Warrensburg and Bolton. Mr. Tennyson stated that the meeting was held to present the alternatives for the future of the Bridge which were reflected in the minutes included. He added that a recommendation had not been determined for the Bridge and a meeting was scheduled for the following week with NYSDOT (New York State Department of Transportation) to discuss the matter. Mr. Tennyson said that River Road, which was being used as a detour while the Bridge was closed, experienced periodic seasonal flooding on the Town of Bolton side and this was a matter that would also be discussed in addition to funding for various alternative solutions.

Ms. Simmes asked if the Highway Superintendent for the Town of Bolton had been notified of the upcoming meeting with NYSDOT and Mr. Tennyson replied in the negative, citing that the meeting had been very recently scheduled and he hadn't had the opportunity to alert the Town. He said that he would make the appropriate contacts to notify everyone of the time and location of the meeting.

Mr. Lamy explained that at the public information meeting residents had voiced their concerns with the seasonal flooding which periodically occurred on River Road. He said that in response to these concerns, he had spoken with Ms. Simmes and had offered the County's cooperation with the Town Highway Department with regards to possible road improvements to raise the elevation of River Road to avoid flooding in the future. Mr. Lamy added that he would be willing to assist with County equipment and manpower to haul material for the road work necessary as the project needed to be addressed before the fall season in anticipation of flood waters in the spring. He noted that although the Town of Bolton's Highway Superintendent had expressed his feeling that the Town could perform the work necessary without the assistance of the County, he maintained his offer of assistance. Mr. Lamy stated that this information was being provided for the Committee's edification and required no official action. Ms. Simmes thanked Mr. Lamy for his assistance in dealing with the issue.

Mr. Belden asked if there was an anticipated date that the Middleton Bridge would be reopened and Mr. Tennyson replied in the negative, noting that construction was not scheduled to begin until 2010.

Discussion ensued.

Resuming the agenda review, Mr. Lamy advised that page 15 reflected a request to agree to the Village of Lake

George acting as Lead Agency for the Army Corps of Engineers work on the Gaslight Village/Westbrook Property. Mr. Tessier explained that the Village would be named as Lead Agency as the Army Corps of Engineers had worked with them before and felt comfortable doing so once again.

Subsequent to discussion regarding the matter, motion was made by Mr. Stec, seconded by Mr. Tessier and carried unanimously to approve the request to agree with the designation of the Village of Lake George acting as Lead Agency for the Army Corps of Engineers work on the Gaslight Village/Westbrook Environmental Project and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

On the same topic, Mr. Lamy reminded the Committee that he had been directed to contact an engineer to evaluate the buildings on the Gaslight Village property to determine if the buildings were structurally sound. He said he'd had discussions with Carl Schoder, of Schoder Rivers Associates, who was under contract with the County through a similar engineering agreement dealing with bridges and structures, in order to develop the scope of the evaluation. Mr. Lamy said that a source of funding to pay for the evaluation services had yet to be named and he noted that the structure of the agreement respective to the maintenance fund established for the property did not permit the charging of engineering fees for property evaluation. Therefore, he said, if the Committee maintained their desire for the buildings to be evaluated, a source of funds would have to be determined and page 16 of the agenda included a request to authorize funding for such with the source of funding to be determined by the Finance Committee.

Mr. Lamy apprised that the Town of Lake George had also commissioned a structural report for the buildings in question and he had heard that the Village of Lake George intended to do the same through another professional engineering firm. He said that although the scope of services for the County's evaluation was not yet finalized, he hoped to have that in order prior to the Finance Committee meeting. Mr. Lamy stated that it was his suggestion that the building evaluation proceed in a two phase process which would review the structural integrity of the buildings in the first phase and then, if it was decided that the buildings would be kept, proceed with phase two which would review the electrical, plumbing and ventilation facilities to determine the costs associated with retaining and updating the buildings.

Mr. Belden stated that he had reviewed the report provided by the engineer hired by the Town of Lake George and it appeared that the evaluation of the building had been quite thorough. Mr. Tessier said that the building that the Village of Lake George was interested in was different than those in which the County had interest and they were entertaining engineering reports for that building, not the ones desired by the County.

Mr. Thomas questioned whether the services of one engineer could be sought by all parties to provide one concise report agreed upon by all parties. Mr. Tessier countered that initial engineering reports had been misleading as it had stated that the buildings were dilapidated, when shortly after the buildings had been cleaned and the electricity and climate control were working without issue which proved that the initial reports were inaccurate.

Mr. Merlino entered the meeting at 10:04 a.m.

Discussion ensued with respect to the matter.

Motion was made by Mr. Haskell and seconded by Mr. Champagne to authorize funding for Schoder Rivers Associates to complete an engineering evaluation of two buildings on the Gaslight Village property. Mr. Belden

called the question and the motion failed with Messrs. Belden, Tessier, Stec, Merlino and Champagne voting in opposition.

Mr. Belden advised that since the motion had failed, Mr. Lamy should cease talks with Mr. Schoder regarding engineering evaluations of the buildings on the Gaslight Village Property.

Continuing with the agenda review, Mr. Lamy directed the Committee members to page 17 which reflected details with respect to the annual Statewide Conference on Local Bridges, which would be held in Syracuse, NY on October 21 - 22, 2008. He said that he had yet to receive the cost implications with respect to the Conference, but noted that if they pre-registered a savings on Conference costs would be attained. Mr. Lamy said that funds were available within the existing Budget to cover the Conference costs and he sought permission for Mr. Tennyson and Kevin Hajos, Senior Civil Engineer, to attend both Conference sessions, which would require overnight travel. He added that there was one session that he wished to attend, which he would travel to and would not require overnight accommodations. Mr. Lamy cited that this was the most important informational meeting available in regards to road and bridge maintenance.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the request for travel for Messrs. Lamy, Tennyson and Hajos as outlined above. *A copy of the request is on file with the minutes.*

#### Items of Interest:

Proceeding to the "Items of Interest" section of the agenda, Mr. Lamy apprised that none of the items listed required Committee action and had been listed for informational updates only. He said that the first item listed pertained to contract extensions with Town & Country Bridge, one for Shotcrete services and the other for construction of guide rail post and component parts, copies of which were included in the agenda beginning on page 18.

Mr. Lamy stated that the next item of interest pertained to the Exit 20 Corridor Study and he said that a meeting was scheduled to discuss the matter further. He said that they would apprise the Committee of the exact date and time once it was known so that anyone interested in attending could do so. Mr. Stec interjected that the meeting would be held on September 4, 2008 at 5:00 p.m. at the Great Escape Lodge.

With respect to plowing and mowing services for the Public Safety Building, Mr. Lamy reported that efforts were being made to reduce the County Budget by providing these services through the use of existing DPW staff. He said that it was his hope that these services would be beneficial to the County and he noted that it was his understanding that through these measures they had been able to reduce the Sheriff's 2009 Budget Request by the cost of one Maintenance position, which was considerable.

Mr. Lamy advised that he had received a request from NYSDEC (New York State Department of Environmental Conservation) for assistance at Scaroon Manor to continue with improvements at that location after the Labor Day holiday. He said that it was likely that they would be sending one of the DPW road crews to assist with expansions of campsites.

Mr. Lamy directed the Committee members to page 24 of the agenda which included a copy of the letter he had written addressed to Mr. Champagne regarding the possible acquisition of ROW (right-of-way) property located at the intersection of Country Club Road (CR 66) and Blind Rock Road (CR17) by Victor Thomas, resident of the

Town of Queensbury. He said that the letter explained that although the County had maintained a ROW which was more than necessary, he recommended that the property be retained as in the event that traffic issues developed in the area the County would already have the ROW necessary to provide turning lanes as necessary without impacting adjacent property owners.

Mr. Champagne explained that Mr. V. Thomas' father had previously released the property in question to the County for the re-alignment project undertaken at that time, but now desired to re-acquire the property in order to stop it from being used for commercial purposes in the future. He said that Mr. Lamy's letter had clearly stated that the County would not permit any use that would impair sight distance at the intersection, thereby eliminating concerns that it would be put to commercial use in the future. Mr. Champagne stated that while he was sure that Mr. V. Thomas would not be happy with the determination, he respected Mr. Lamy's suggestion and understood the reasons therefor.

Mr. Belden asked if a resolution was necessary to accept Mr. Lamy's suggestion and retain the property and Mr. Lamy interjected that it was his feeling that it would be more appropriate to ratify the actions he had taken in composing the letter and determining that the property should be retained.

Motion was made by Mr. Bentley, seconded by Mr. Stec and carried unanimously to ratify the actions taken by Mr. Lamy in determining that the ROW located at the intersection of Country Club Road (CR66) and Blind Rock Road (CR17) should be retained by the County and composing a letter stating such and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting.

Mr. Lamy apprised that the final "Item of Interest" consisted of a letter of appreciation from John F. Bowe, 4-H Team Coordinator, thanking the DPW for contributing to the transportation of the stone foundation materials for the 4-H Lincoln Log lean-to kit which had been constructed at the Warren County Fairgrounds. He added that a copy of the letter was included on page 25 of the agenda.

#### Facilities:

Mr. Lamy noted that because a County Facilities Committee meeting had not been called, he had two items of business that he wished to present on behalf of the Buildings and Grounds Department. He directed the Committee members to page 27 of the agenda which included a request to authorize the Project Manager, Superintendent of Public Works and Deputy Superintendent of Public Works to authorize change orders in connection with the HHSB Project. Mr. Lamy stated that, as with the other similar resolutions recently passed, the request included limitations that would allow the approval of only those individual change orders totaling \$10,000 or less to an aggregate total of \$50,000 at which point Committee review and approval would be required. He added that because it was more than likely that change orders would be issued during the HHSB Project, it would make the process proceed much smoother if this approval was granted.

When asked who specifically would be authorized to approve a change order, Mr. Lamy replied that it would be Fred Austin, Project Manager, himself and Mr. Tennyson. Mr. Merlino asked if the change orders would ultimately be approved by the Committee and Mr. Lamy replied affirmatively explaining that the request would give the appropriate parties the authority to approve those individual change orders of amounts less than \$10,000 without Committee approval. He added that they would be authorized to approve \$50,000 worth of these change orders before seeking Committee approval thereon at which point the aggregate total would be reduced to \$0.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to approve the request to authorize the Project Manager, Superintendent of Public Works and Deputy Superintendent of Public Works to approve change orders with costs not to exceed \$10,000 per change order and for a total amount not to exceed \$50,000 without Committee review and approval and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Hal Payne, Commissioner of Administrative & Fiscal Services, noted that the ground breaking ceremony for the HHSB would be held on September 3, 2008 at 10:00 a.m. He added that construction would actually begin during the following week when the loop road circling the Municipal Center would be altered to meet the needs of the construction project. Mr. Payne stated that a press release regarding the matter had been issued on the previous day and that formal notices of the event would be delivered shortly.

Mr. Lamy apprised that the second item of business pertaining to the Buildings & Grounds Department consisted of a request to fill the vacant position of Laborer #36 which included a base salary of \$22,503. He explained that the position had been vacated by the resignation of a member of the cleaning staff and was required because two other members of the cleaning staff were out of work due to injury. Frank Morehouse, Superintendent of Buildings, interjected that it appeared the injured staff members would be out of work with long-term disability issues. He added that because another maintenance position had been reduced from his Department and they were now providing cleaning services at the CNA Building housed by Social Service staff, it was imperative that the vacant position be filled in order to provide the same level of service they currently facilitated.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried by majority vote to approve the request to fill the vacant position of Laborer #36, base salary \$22,503 with Mr. Belden voting in opposition and refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Mr. Belden noted that he had opposed the motion, not because he felt that the position was unwarranted, but because in light of the current budget constraints more reductions had to be made to save money wherever possible. Mr. Haskell stated that although he did not disagree with Mr. Belden's opinion, he felt that the position was necessary in light of the amount of time necessary to travel to and from the CNA building to provide cleaning services therein. He added that when the HHSB was completed, they might be able to review the cleaning staff and make reductions and Mr. Belden countered that he did not feel a reduction would be likely as when the Public Safety Building was completed additional staff had been necessary to maintain that building.

Referrals:

Concluding the agenda review, Mr. Lamy addressed the listing of items pending from prior Committee meetings which he detailed as follows:

- 1) The Corinth Road Project was reported on earlier in the meeting;
- 2) The Budget Performance Report is presented at the end of each quarter;
- 3) Work requested by NYSEC for Scaron Manor was addressed earlier in the meeting;
- 4) Mr. Lamy apprised that the status on the transfer of County-owned property on Bay Road remained consistent. He apprised that the matter was in the hands of the surveyor hired by the party seeking acquisition of the property and that once the necessary survey had been prepared and delivered to the County Attorney's Office a fee for the transfer of property would be determined;

- 5) Regarding NYSDEC violation citations at the North Creek fuel farm, Mr. Lamy stated that they had made tremendous progress with the issues at the fuel farms, not only at the North Creek location but County-wide. He said that he would defer to Paul Dusek, County Attorney, as to where they were with regards to the citation from NYSDEC;
- 6) Mr. Lamy stated that he had nothing to report with regards to the Stormwater Officer position;
- 7) With respect to the legality of installing crosswalk signs in the middle of County roads, Mr. Lamy advised that he had nothing to report;
- 8) Regarding the status of Milton Street Bridge repairs, Mr. Lamy reminded the Committee that a notation on this item had been included under the New Business section of the agenda; however, he said, he had delayed the item in hopes that Mr. Geraghty would arrive in time to receive the update. Mr. Lamy then asked Mr. Tennyson to proceed with an update on the matter.

Mr. Tennyson advised that the Milton Street Bridge had been closed and would be receiving Federal funding for construction to begin in the fall of 2008. He said that signed agreements had been received from property owners for all of the ROW acquisitions necessary for the project, although there was one property that had some nuances that would have to be addressed. As for the design of the project, Mr. Tennyson advised that final approval from NYSDOT could not be received until all ROW agreements were finalized; however, he said, they were doing as much as possible to forward the project while awaiting the final approvals. He stated that DPW staff would be securing the Bridge by the end of the week to eliminate pedestrian traffic prior to the beginning of the school year. Mr. Lamy interjected that he had recently inspected the Bridge abutments and had viewed evidence of movement which had prompted his decision to close the bridge to pedestrian traffic for safety issues.

Mr. Belden asked when the bridge construction would be complete and Mr. Tennyson apprised that the bids should be sent out in October of 2008 and the major construction would begin in the spring of 2009.

Mr. Belden pointed out the fact that no funding for snow and ice removal services on County roads by Town workforces had been included in the 2009 Budget. Speaking for the Town of Hague, Mr. Belden stated that if the County was not prepared to compensate the Town for snow removal services, they would not be providing them. He added that regardless of the budget situation, snow removal services had to be provided and the costs would surely be greater for the County to dispatch road crews to the Town of Hague to care for the roads than it would be to pay the Town. Mr. Belden said that the Town of Hague had taken a considerable loss in providing these services during the 2007 - 2008 winter season and they were not prepared to do so again in the upcoming season as they were already feeling constraints with their own budget due to rising fuel and supply costs.

Mr. Haskell agreed, citing that the Town of Thurman had also suffered a considerable loss in caring for County roads during the recent winter and they would not be willing to continue providing these services if the County was not prepared to reimburse them for the related expenses. Mr. Bentley interjected that this seemed to be a no-win situation for the County as if they did not pay the Towns to provide snow and ice removal services in rural areas, they would have to spend a much larger amount to dispatch County vehicles to these areas and provide the infrastructure needed to support the work as there were no County salt sheds in these areas.

Mr. Merlino said that although he felt similarly, he was willing to continue the services at the same amount budgeted for 2008 and keep closer track of the costs incurred during the upcoming season as the costs were not accurately tracked in the previous year. He added that a loss had been incurred by providing plowing services for the County, but he could not determine the extent of the loss as complete cost figures had not been kept.



Mr. Thomas stated that in the interest of the people of the Town of Stony Creek, the Town would continue to provide snow and ice removal services at the same rates paid for the prior season. He cited that in prior years the County had attempted to maintain Warrensburg Road, a main thoroughfare between the Towns of Stony Creek and Warrensburg, which had proved to be disastrous.

Mr. Tessier said that although the Town of Lake George maintained a very small portion of County roads during the winter seasons, he felt that the compensation was just as the same amount was paid regardless of how much work was provided and there were some years where they received more money than was spent. He noted that the expenses incurred by the Town of Lake George were far less than other Towns as they maintained much less of the road and could not be compared. Mr. Tessier said that he was in support of increasing funding to those Towns plowing significant amounts of County roads due to increased fuel and material costs.

Discussion ensued.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously to refer a request to increase the amount included in the 2009 Budget for reimbursements to the Towns for snow and ice removal on County roads by 5% to the Budget Committee.

Mr. Stec pointed out that there might be ways for the Town of Queensbury and the County to work more closely on their plowing operations to determine what agreements could be reached between the two parties to determine where savings might be attained for both. Mr. Lamy said that he and his staff would review the current arrangements with Mr. Stec and his Highway staff to determine what arrangements could be made.

There being no further DPW business to present, the Committee recessed from 10:39 a.m. to 10:45 a.m.

Mr. Haskell left the meeting at 10:39 a.m.

Upon reconvening, privilege of the floor was extended to Mr. Lamy to begin the Warren County Sewer portion of the Public Works Committee meeting. Copies of the Warren County Sewer agenda were distributed to the Committee members, a copy of which is on file with the minutes.

New Business:

Mr. Lamy apprised that the first item of new business pertained to the status of USEPA (United States Environmental Protection Agency) approval of the replacement of a pump station and force main in connection with the Town of Bolton Sewer Project. He said that through the use of funds allocated to the Town for the project, they had elevated the importance of the replacements on the project priority list. Mr. Lamy stated that a categorical exclusion had been requested of the USEPA to ask that the project be reviewed and acted upon, which had been done. He said that a copy of the USEPA approval letter was included in the agenda packet and allowed for a scope of services to be developed and forwarded to C.T. Male Associates to begin engineering a solution for the pump station and force main replacements, as well as develop design drawings and plans and eventually go to bid and facilitate the replacements.

Mr. Belden asked if Committee action was required to approve the change in the scope of services on the project as other work had previously been approved by the Committee, and Mr. Lamy replied affirmatively.

Mr. Champagne asked what work had previously been approved and Mr. Lamy apprised that there was infiltration and inflow work that was going to be done within the service area. Mr. Champagne then asked if the change would require any additional County funding and Mr. Lamy replied that there was a 5% Local Share which the County had previously agreed to for which funding had already been allocated in the Capital Project. He added that no new County funds would be attributed to the Project.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to approve the change in the scope of services relating to the replacement of a force main and pump station in connection with the Town of Bolton Sewer Project.

Mr. Lamy stated that new business item two consisted of a resolution request to authorize the Chairman of the Board of Supervisors to sign a contract with C.T. Male Associates for an extra work authorization in the amount of \$64,000 to facilitate the replacement of the pump station and force main for the Town of Bolton Sewer Project.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve the request to authorize the Chairman of the Board to sign a contract with C.T. Male Associates as outlined above and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Ms. Simmes questioned if there was a time frame indicated for the completion of the replacement project and Mr. Lamy replied that the time-frame for completion of the Project would be driven by the environmental review process. He added that C.T. Male Associates would proceed as quickly as the State and Federal agencies permitted them to act. Ms. Simmes stated that it was her hope that the project would be completed in the Spring of 2009 and Mr. Lamy apprised that if all went well they should be able to bid the Project by that time, with the actual construction to proceed thereafter. He added that the Project schedule was out of the County's hands as they were only able to proceed as allowed by State and Federal Agency permits.

Concluding the New Business section of the agenda, Mr. Lamy stated that item four consisted of an update of the Town of Hague Sewer District #2 construction bids. He reminded the Committee that the initial construction bids had been rejected and a second bid process authorized, for which the bids had recently been opened. Mr. Lamy said that the new bids were approximately \$450,000 less than in the first round, one of the reasons for which he felt was that the asphalt index was included in the second bid request. He advised that the second bid requests had received a sole bidder and that bid was being reviewed by both the associated Engineers and Attorneys and ultimately by USEPA to determine if the sole bid was acceptable. Mr. Lamy stated that it was his hope that they would have a recommendation on the bid in the near future and in the meantime, the Board of Supervisors had already approved a generic resolution to award the bid pending approval by the Project Engineer and the USEPA as necessary.

Discussion ensued.

Old Business:

Concluding the agenda review, Mr. Lamy proceeded with Old Business portion of the agenda which consisted of Referrals from prior Committee meetings. He advised that the only referral item was in connection with the Town of Bolton Sewer Project and had been discussed earlier in the Committee meeting. Mr. Lamy asked that the item be removed from the referral listing.

As there was no further Warren County Sewer business to be presented, Mr. Belden announced that the Airport portion of the Public Works meeting would begin. Mr. Lamy distributed copies of the Airport Activity Summary and noted that there were no resolution requests to present; *a copy of the Airport Activity Summary is on file with the minutes.*

Mr. Lamy advised the Committee that in response to the RFP for the FBO (Fixed Base Operator), which will expire on December 31, 2008, they had received three proposals. He said that all three applicants were being interviewed and evaluated, subsequent to which a recommendation would be made as to who the contract should be awarded to. Mr. Lamy stated his assumption that the recommendation would be made in the near future and that a special Public Works Committee meeting might be necessary to present the recommendation for final approval at the September 19<sup>th</sup> Board meeting.

In response to Mr. Champagne's inquiry as to whether the proposals received would generate increased revenues to the Airport, Mr. Lamy advised that this information was currently unknown and Mr. DeGraw was working to develop a spreadsheet which would assist in making this determination and in allowing an appropriate comparison of the services offered. He added that all of the data received would be reviewed and scrutinized prior to choosing the next FBO in order to make the best decision for the Airport.

Mr. Lamy noted that a coordination meeting for the Adirondack Balloon Festival would be held on September 4<sup>th</sup> to discuss the various balloon launches scheduled and the support services that would be extended.

Referring to the sixth item listed on the Airport Activity Summary, Mr. Lamy apprised that Phil Jackson was operating his commercial hot air balloon ride business from the front lawn of the Airport which Mr. Jackson had previously been advised might not be consistent with County rules. Mr. Belden said that a letter had been sent to Mr. Jackson stating that this was not allowable due to liability issues and Mr. Lamy stated that Mr. Jackson continued to do so irregardless. Mr. Lamy said that he would follow up with Don DeGraw, Airport Manager, to confirm that Mr. Jackson had been advised to cease his operation from the Airport location.

Mr. Belden stated that he had recently visited the Airport and noted that the brush cutting procedures taking place seemed to be going very well. He said that although there had been significant opposition to the purchase of the forestry mower, apparently it was the equipment necessary to deal with the issues at the Airport. Mr. Belden noted that due to the significant amount of rain received recently, some of the brush cutting could not be done because those areas were too wet.

Mr. Lamy apprised that a number of members of the Saratoga County Board of Supervisors had toured the Warren County Airport and were very impressed with the operation. He added that the Airport had received accolades for the way in which the Airport was very quickly cleaned and re-opened subsequent to winter storms. Mr. Belden said that they should be proud of the Airport and the way in which it was maintained as it was an asset to Warren County regardless of the fact that it did not generate a significant amount of revenue.

Discussion ensued with respect to the matter.

As there was no further Airport business to present, privilege of the floor was extended to Paul Butler, Director of Parks, Recreation & Railroad, to begin the Parks, Recreation & Railroad portion of the meeting. Copies of the Parks, Recreation & Railroad agenda were distributed to the Committee members and a copy of same is on file with the minutes.

Beginning with Agenda Item 1, Mr. Butler presented a request to amend the 2008 County Budget in the amount of \$18,712.50 to reflect the receipt of 30% payment of State Snowmobile grant funds. He noted that a 70% payment of grant funds had been received previously and this amount reflected that remaining balance owed.

Motion was made by Mr. Merlino, seconded by Mr. Tessier and carried unanimously to approve the request to amend the 2008 County Budget in the amount of \$18,712.50 as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes.*

Continuing, Mr. Butler advised that Agenda Item 2 reflected the breakdown in costs for the Rail Station Rehabilitation Project. He noted that the Contingency figure had increased as Clough, Harbour & Associates (CHA) had decreased their charges for services rendered in connection with the Project.

Mr. Belden asked if the \$1.39 million total included construction costs for Rail Station platforms in both the Towns of Hadley and Thurman and Mr. Butler replied affirmatively. He then questioned if the platform planned for the 1,000 Acres Ranch Resort located in the Town of Stony Creek was also included in this figure and Mr. Butler replied in the negative, explaining that the costs for that project were included in the 2009 Budget request.

When asked for a time frame when the Rail Station platforms would be constructed, Mr. Butler apprised that the construction was scheduled to begin in early September; however, he said, they were still awaiting a permit from the APA (Adirondack Park Agency) and the Project could not begin until the permit was received and filed with both Warren and Saratoga Counties. Mr. Butler said he anticipated the receipt of the APA permit within the week and all other aspects of the Project, including the removal of the Biondi Building, were moving on schedule.

Mr. Butler apprised that Agenda Item 3 included a request for a resolution authorizing the Superintendent of Public Works or the Director of Parks, Recreation & Railroad to execute change orders for the Warren County Rail Station Improvement Project. He said that due to the short period of time in which the Project was to be completed, the ability to authorize change orders without Committee consent would be very helpful in keeping the Project moving along.

Mr. Belden stated that there should not be many change orders associated with the Project and Mr. Butler interjected that CHA had already noted that they preferred to remove some things from the Project in order to add to the contingency funds included in the project and these reductions would require change orders. Mr. Lamy noted that in discussion with CHA they had decreased their construction inspection charges which had resulted in a larger contingency. He said that they were trying to make sure that problems could be dealt with instantaneously, rather than having to come back to the Committee with requests while paying for construction.

Mr. Belden noted that a pre-construction meeting was scheduled for August 27<sup>th</sup> at 1p.m. regarding the Project. Mr. Butler confirmed the date and time of the meeting but stated that a venue had yet to be determined and would be held at either the Fish Hatchery or the Warrensburg DPW Office. He said that he would notify the Committee members of the meeting location once it had been determined.

Mr. Lamy noted that the resolution request should be amended to cite that either the Superintendent of Public Works or the Deputy Superintendent of Public Works should be authorized to execute change orders in relation to the Rail Station Improvement Project.

Motion was made by Mr. Merlino, seconded by Mr. Champagne and carried unanimously to authorize the

Superintendent or Deputy Superintendent of Public Works to execute change orders for the Rail Station Improvement Project and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler advised that Agenda Item 4 included a request to authorize application to NYSDOT for grant funding in an amount not to exceed \$2 million for improvements to the Warren County Railroad prior to the September 30, 2008 deadline. He added that a schedule of proposed improvements totaling \$2 million was included in the agenda. Mr. Butler noted that although the Antone Mountain Road crossing improvements were included in the grant schedule, the Town of Corinth planned to address this issue with their own grant funding. He said that the \$7,500 previously pledged by the County to pay for half of the Antone Mountain Road crossing improvements was no longer being sought and action would have to be taken to eliminate the previous resolution authorizing that expenditure; however, he said, he preferred to wait until the work was undertaken before rescinding the resolution.

Mr. Butler stated that there were two methods of funding available through the grant initiative, one of which was a bond fund while the other was a pure grant. He said that the pure grant required no Local Match, but was a reimbursement program that required all of the funds be spent before they were reimbursed by the State. The other arrangement Mr. Butler stated, had something to do with a bond used to fund such Projects that required a 10% minimum Local Share. He said that although he had initially thought that they would be required to apply for both grants he had recently been advised that the County was able to apply for only the pure grant if that was what they preferred.

Subsequent to discussion on the matter, it was the consensus of the Committee that only the pure grant of \$2 million would be applied for.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to authorize the submission of a grant application to NYSDOT for funding in the amount of \$2 million as outlined above and the necessary resolution was authorized for the September 19<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Resuming the agenda review, Mr. Butler apprised that he too had received a copy of the letter of appreciation from Mr. Bowe with respect to the lean-to construction at the Warren County Fairgrounds as presented by Mr. Lamy earlier in the meeting. He noted that a copy of the letter was included in the agenda.

Mr. Butler stated that the removal of the Biondi Building from the Hadley Rail Station site was almost complete. He said that the building had been demolished and the foundation was currently being removed; he added that he expected the removal to be complete within the next week. Mr. Butler apprised that he had visited the site and found it to be a clean and very organized demolition site.

Referring to Agenda Item 7, Mr. Butler announced that \$875 had been received from the North East Rail Car Association, Inc. speeder car event held on July 26, 2008. He noted that 25 speeder cars had participated in the event at a cost of \$35 each.

Concluding the agenda review, Mr. Butler addressed the listing of items pending from prior Committee meetings, which he detailed as follows:

- 1) The status of the demolition of the Biondi Building was addressed previously;
- 2) Regarding the transfer of the Kellogg Property to the County, Mr. Butler advised that the study being

conducted by the Elan Group had been completed and was now being discussed. He said that he anticipated that the transfer of property should be occurring in the near future. Mr. Butler confirmed that no County dollars would be attributed to the property until its ownership was assumed by the County. He noted that a planning grant in the amount of \$192,000 had been received in connection with the property; he added that this was a matching grant for which the transfer of property would serve as the Local Match. Mr. Butler concluded that the matter was still in the hands of the County Attorney's Office;

- 3) Mr. Butler apprised that plans and a budget for the proposed Railroad platform at the 1,000 Acres Ranch Resort were still being developed. He said that Mr. Lamy, himself and several Supervisors had been discussing the matter and they were now in the process of developing a sketch plan for the platform which would subsequently be forwarded to the APA for their review and approval. Mr. Butler said the process was going well and he felt that APA approval would be received;
- 4) The Antone Mountain Road crossing signal repairs were discussed earlier in the meeting.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Bentley and seconded by Mr. Merlino, Mr. Belden adjourned the meeting at 11:25 a.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist